

U.S. Immigration and Customs Enforcement

Student and Exchange Visitor Program

SEVP Draft Policy Guidance for Adjudicators 1210-03: Bridge Programs and Conditional Admission

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1. Purpose/Background.

1.1 Purpose. School officials often develop innovative means to meet the educational needs of students. Among these relatively new innovations is the increasing use of the bridge program and conditional admission. The Student and Exchange Visitor Program (SEVP) increasingly receives questions on these interrelated topics. SEVP is publishing this SEVP Policy Guidance for Adjudicators to clarify the proper adjudication of these issues.

1.2 Background. The purpose of a bridge program is to help a student who is unable to meet all the requirements for admission into a degree program of study. In some instances, a designated school official (DSO) will issue the Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status," to an F student for the degree program of study while the student seeks to meet the required prerequisites for entrance into the degree program. The student may accomplish this by completing the bridge program or some other set of course work as determined by the school.

In such cases, the admission to the degree program is conditional upon successful completion of the bridge program. Usually, a student receiving conditional admission into a program of study leading to a degree has a guarantee of full admission upon completion of the bridge program or other school-determined prerequisites.

General questions exist pertaining to conditional admission, bridge programs, and Form I-20 issuance. Specifically, there is confusion regarding the relationship of school English proficiency requirements to Form I-20 issuance. The focus of this guidance is to answer questions relating to bridge programs, conditional admission and Form I-20 issuance.

2. Definitions.

2.1. Bridge Program. A bridge program is a post-secondary, non-degree program of study that combines academic and remedial¹ course work to enable a student to fully meet prerequisites for and participate in a separate degree program of study.

2.2 Conditional Admission. Conditional admission is an agreement between a school and a student to admit the student into a program of study for which the student does not meet

¹ Remedial here is defined as the prerequisite or standards not met for entrance into a separate degree program of study.

all standards for admission. This agreement is contingent upon the student successfully completing a specified set of prerequisites determined by the school that will fully qualify the student for the program. The student does not begin the program until completing the required prerequisites.

3. **Policy.** A DSO can only issue a Form I-20 to a student who meets all requirements for admission into a program of study.

An adjudicator may approve a bridge program that exists as a distinct program of study on the school's Form I-17, "Petition for Approval of School for Attendance by Nonimmigrant Student," and subject to the requirements of this policy guidance. Only an F student may participate in a bridge program.

4. **Procedures/Requirements.**

4.1 **Conditional Admission.**

- 4.1.1 **Primary Intent.** A DSO cannot issue the Form I-20 to any student who has not met all standards for admission² and has not received acceptance for enrollment into a full course of study.³

- 4.1.2 **Brief History.** Questions related to Form I-20 issuance and students meeting school qualifications have existed since at least the mid-1970s, as noted in past U.S. Government Accountability Office (GAO) reports.⁴ The current regulatory language related to Form I-20 issuance at 8 *CFR* 214.3(k) has been in place since 1983.⁵ The Immigration and Naturalization Service (INS) added additional requirements to paragraph (k) due to concerns about "questionable practices" in the issuance of Forms I-20.⁶

The GAO reports each note concerns about Form I-20 issuance practices. Of particular interest, GAO cited the failure of some schools to assess the qualifications of prospective students prior to issuance of the Form I-20⁷ or fraudulent Form I-20 issuance practices.⁸ For these and other reasons, INS felt the need to provide increased clarity on issuance of the Form I-20. Among this added language was the requirement that a student must meet

² 8 *CFR* 214.3(k)(3).

³ 8 *CFR* 214.3(k)(4).

⁴ An adjudicator interested in learning more about these historical issues can read the following reports from the [U.S. Government Accountability Office](#) (previously known as the U.S. General Accounting Office): "Better Controls Needed to Prevent Foreign Students from Violating the Conditions of their Entry and Stay while in the United States" ([General Government Division \(GGD\)-75-9](#), February 4, 1975); "Controls Over Nonimmigrant Aliens Remain Ineffective" ([GGD-80-87](#), September 11, 1980); "Controls Over Foreign Students in U.S. Postsecondary Institutions Are Still Ineffective" ([Human Resources Division \(HRD\)-83-27](#), March 10, 1983).

⁵ See 48 *FR* 14591.

⁶ See 47 *FR* 23465.

⁷ HRD-83-27, pgs. 14, 23-24; GGD-75-9, pgs. 18-21, 25, 34.

⁸ See GGD-80-87, pgs. 4, 10-11. See also HRD-83-27, pgs. v, 21-23.

all standards for admission.⁹

- 4.1.3 English Proficiency and the Form I-20.** Many instances of conditional admission involve a student meeting all standards of admission for a degree program except those regarding English proficiency. SEVP is aware that some DSOs have issued the Form I-20 for the degree program even though the student may study English full-time, sometimes entirely at a separately governed school. Such practice is contrary to *8 CFR 214.3(k)(3)*, which requires students to meet all standards for admission, including any English proficiency requirements.

Adjudicators should note that the main issue is whether a student meets a school's English proficiency requirements (and any other requirements) *as a standard of admission* into that school. If the student does not meet those requirements, the DSO cannot issue the Form I-20 to the student. A DSO must use the English proficiency box on the Form I-20 in light of these considerations. Adjudicators should refer to the attached fact sheet for more information (see section 7).¹⁰

- 4.1.4 Form I-20 Issuance.** *8 CFR 214.3(k)(3)* requires that a student must meet all standards for admission before issuance of the Form I-20. A conditionally admitted student does not meet all standards for admission. Therefore, a DSO cannot issue a Form I-20 to a conditionally admitted student.¹¹

School officials may agree to admit a student into a program of study pending satisfactory completion of admission prerequisites via another program of study (such as, a bridge program or English language program of study). However, a student must meet all admission requirements for the first program of study and then transfer to the next subsequent program of study upon successful completion of the prerequisites. At all times, the student must meet all admission requirements for a program of study *prior* to DSO issuance of the Form I-20.

8 CFR 214.3(k) requires a DSO to sign a completed Form I-20 (at item 10). In doing so, the DSO certifies under penalty of perjury that the form is true and correct. As such, DSOs must issue the Form I-20 to a student for the school and the program of study as stated on the form. DSOs cannot issue the Form I-20 for one school while the student studies at another school (whether the schools share governance or not).¹² Similarly, DSOs cannot issue the Form I-20 for one program of study while the student is actually

⁹ See also legacy [INS Operating Instructions 214.3\(n\)\(4\)](#), "Petition for approval of school," which states: "Issuance of provisional Forms I-20. The provisional issuance of Forms I-20 is a violation of *8 CFR 214.3(k)*. According to that regulation, a (DSO) may not issue a Form I-20 until the appropriate school authority has determined that the prospective student's qualifications meet all standards for admission at the school which has accepted the prospective student for enrollment in a full course of study."

¹⁰ This fact sheet is forthcoming. SEVP will release it at a later date.

¹¹ Because of the confusion surrounding these issues, an adjudicator may find it useful in discussion with stakeholders to note that SEVP is not changing its regulations, policies, or procedures.

¹² This includes students studying at a separately governed, contracted school that uses the same location and facilities as its contracting school. The school governing the actual program at which the student is studying must issue the Form I-20, even if the separately governed, contracted school utilizes the contracting school's facilities.

studying in another program of study. DSOs must issue the Form I-20 for the program of study the student is studying. For example, DSOs cannot issue the Form I-20 to a student for a philosophy program of study when the student is actually attending an English language training (commonly known as ESL) program or some other program of study, or is attending another school altogether.

4.2 Bridge Programs.

4.2.1 Purpose and Goals. The purpose of bridge programs, also known as pathway programs,¹³ is to help students who do not meet entrance requirements for a degree program of study. Bridge programs contain course work covering the lacked requirements as well as academic course work required for meeting the graduation requirements of a separate degree program. Some common reasons for developing a bridge program include assisting students with the following:

- Some amount of English proficiency but not enough to satisfy school admission standards
- A three-year postsecondary degree not equivalent to a U.S. bachelor's degree

Bridge programs focus simultaneously on meeting the admission requirements a student lacks *and* on fulfilling academic course work required for a degree program.¹⁴ This distinguishes bridge programs from other programs that only focus on meeting certain basic proficiencies (e.g., only studying English in an intensive English program) or purely academic work (e.g., studying engineering).

A bridge program is for a student who already has some amount of basic proficiencies and academic skills but not enough yet to meet admission standards. For this reason, SEVP recognizes a bridge program as a separate and distinct program of study designed to provide a pathway from more basic proficiencies to more standard academic study.

4.2.2 F Students Only. Due to the academic nature of bridge programs, SEVP will only approve a bridge program for F student enrollment, subject to the requirements of section 4.3.

4.2.3 Form I-20 Issuance. An adjudicator reviewing compliance by school officials must verify that a DSO has issued the Form I-20 to an F student for the specific bridge program of study the student is pursuing. A DSO must issue the Form I-20 for a student at the “Other” educational level with “Bridge Program [insert proficiency reason here]” listed in the explanation box in item 4 on the Form I-20¹⁵ and include the name and

¹³ School officials have interchangeably used the terms bridge and pathway programs. Both refer to programs that seek to provide a bridge or a pathway into a degree program of study. SEVP has chosen to use the bridge terminology for purposes of this policy guidance.

¹⁴ “Required course work” includes any academic course work that counts towards the graduation requirements of a degree program of study.

¹⁵ This should match what school officials list on their Form I-17 for a bridge program. See section 4.3.3.

Student and Exchange Visitor Information System (SEVIS) school code in the Remarks box in item 9 on the Form I-20 of any separately governed school at which the student will be studying as part of the bridge program.¹⁶ Schools that are found to have issued Forms I-20 for academic programs of study for which the student is not fully qualified will be subject to possible withdrawal of their SEVP certification. This includes issuing Forms I-20 to students for an academic program of study when the student is studying at a bridge program—even if the bridge program of study is listed as a program of study offered by the school on the school’s Form I-17 petition.

4.3 Adjudicating Bridge Programs.

4.3.1 General Guidelines. An adjudicator may approve a bridge program subject to the following minimum requirements:

- *All* schools involved in the bridge program *must* be SEVP-certified;
- School officials must list the bridge program as a distinct program of study on the Form I-17;
- Schools must have governance over the academic portion of the bridge program;
- Schools must have stated admission standards for the bridge program to which the student must meet before a DSO issues the Form I-20;
- The academic course work that a student takes must count towards the graduation requirements of a degree program of study at the school;
- The student must maintain a full course of study; and
- Schools must have policies in line with the reporting and recordkeeping requirements of 8 *CFR* 214.3(g)(1), especially details regarding what constitutes normal academic progress and what happens if the student does not make such progress.

Explanation of each standard is provided in greater detail below.

4.3.2 SEVP Certification. All schools involved in the bridge program must be SEVP-certified.

4.3.3 Distinct Program of Study. While bridge programs integrate into other programs of study, they are themselves distinct programs and must appear as such on a school’s Form I-17. An adjudicator must verify that schools:

- Check “Other” and list “Bridge Program” under item 14 on the Form I-17 (item

¹⁶ SEVP considers such notation in the remarks field to be part of a school’s recordkeeping and reporting requirements per 8 *CFR* 214.3(g)(1)(i) and (g)(2)(ii)(E). The school must update this information within 21 days of a change occurring.

12 in SEVIS),¹⁷

- Provide a summary of admission requirements under item 18 on the Form I-17 (item 16 in SEVIS), and
- List “Bridge Program [insert proficiency reason here],” the time necessary to complete the program and the school’s definition of normal academic progress under item 19 on the Form I-17 (item 17 in SEVIS).

School officials may submit the summary of admission requirements, information regarding the time necessary to complete the program, and/or the school’s definition of normal academic progress in a separate document submitted as evidence.

4.3.4 Academic and Remedial Study. A bridge program combines instruction in remedial areas (e.g., ESL training) with required academic work. A hallmark of this type of program is the involvement of the academic work and its connection to potential future study at the school. As such, SEVP’s expectation is that the academic work students will count towards the graduation requirements of a degree program should the student choose to continue studying at the school following completion of the bridge program.

The school whose DSO issues the Form I-20 must have governance over at least the academic portion of the bridge program. The school may choose to engage in a concurrent enrollment relationship for the other portion of the program (such as, with another SEVP-certified ESL school for the ESL training portion). An adjudicator must not approve a bridge program where the school whose DSO issues the Form I-20 does not have governance over the academic portion of the bridge program.¹⁸

4.3.5 Standards of Admission. A bridge program must have a set of stated admission standards which all prospective students must meet prior to issuance of the Form I-20. While school officials are free to determine those standards, SEVP’s expectation is that those standards will fall between the standards of a program focusing on basic proficiencies and an academic program of study leading towards a degree. All other regulatory and/or institutional requirements necessary for school attendance still apply (e.g., financials, maintenance of student records, etc.).

4.3.6 Program Length. An adjudicator should grant school officials the flexibility to design bridge programs in-line with a variety of educational goals and objectives. However, SEVP recognizes that the purpose of these programs is to provide a pathway into another program of study. SEVP does not view these programs as a substitute for a student who requires attendance in a full course of study in an ESL program, a full degree program,

¹⁷ School officials must list the basic proficiency for which the student is taking the bridge program. For example, if a student takes a bridge program for reasons of English proficiency, the listing of the program on the Form I-17 would be as “Bridge Program (English proficiency).”

¹⁸ SEVP is requiring this in order to ensure that the school whose DSO issues the Form I-20 has demonstrative governance over the program of study, has justification for issuing the Form I-20 to the student, as well as to ensure the school is not simply issuing the Form I-20 and sending the student to study at another school.

etc.

For these reasons, SEVP expects these programs to finish within a reasonable period of time. SEVP is instituting a discretionary threshold of one year for the expected length of this program type. SEVP may approve bridge programs longer than one year in length but has discretion to seek or ask additional information. A student unable to make normal academic progress or to meet the required prerequisites within the stated program length must transfer to a full-time program of study addressing the lacking proficiencies or otherwise take action to maintain nonimmigrant status.

4.3.7 Full Course of Study. An F student must maintain a full course of study as described in *8 CFR 214.2(f)(6)* for the duration of the bridge program.

For an F student enrolled concurrently at two schools as part of a bridge program, the DSO of the school issuing the Form I-20 must determine what constitutes a full course of study.¹⁹

In all instances, school officials must be able to provide SEVP evidence of what constitutes a full course of study for the bridge program. In the event of differing full course of study requirements in a concurrent enrollment relationship, school officials from the school issuing the Form I-20 must be able to provide a clear rationale for how its full course of study policies comply with pertinent statutes, regulations and guidance documents.

4.3.8 Reporting and Recordkeeping. School officials must comply with all pertinent reporting and recordkeeping requirements. As with any other program of study, SEVP expects officials to have policies in place regarding things such as normal academic progress and program completion. At any time, SEVP may request information on school compliance with regulatory requirements as well as school policies.²⁰ All schools must report to SEVP any time a school changes its policies regarding what constitutes a full course of study for purposes of a particular bridge program listed on its Form I-17.²¹

SEVP retains the authority to require a school to list a particular bridge program in another manner on the Form I-17 if SEVP determines a particular program does not meet applicable regulatory requirements or the standards of this policy guidance.

4.3.9 ESL Considerations. If a portion of the bridge program involves ESL training, the school with governance over the ESL portion of the program must be in compliance with the Accreditation of English Language Training Programs Act (Accreditation Act).²² SEVP will not approve a bridge program involving ESL training if the school governing the ESL portion of the program is not in compliance with the Accreditation Act.

¹⁹ *8 CFR 214.2(f)(6)(iv)*.

²⁰ See, e.g., *8 CFR 214.3(g)* and *(h)(3)(iii)-(iv)*.

²¹ SEVP considers such an update as requiring an out-of-cycle review. See *8 CFR 214.3(e)(3)*, *(f)(1)*, *(g)(2)*, *(h)(3)(i)(K)* and *(L)*.

²² *Public Law 111-306*.

SEVP expects students admitted into bridge programs for reasons of English proficiency to meet the admission prerequisites for the full academic program within the stated length of the bridge program. Schools must have an established standard for success and failure. Students failing to make normal academic progress or to meet the required prerequisites must transfer into a full-time ESL program or otherwise take action to maintain nonimmigrant status.

4.3.10 Concurrent Enrollment Relationships. Schools governing bridge programs may engage in a concurrent enrollment relationship with a separately governed school for the non-academic portion of a bridge program. The governing school must provide SEVP with the name, SEVIS school code and the approved program of study as listed on the concurrent school's Form I-17 under which an F student may study. Adjudicators must note these concurrent relationships in the school's record of proceeding. The governing school must notify SEVP if it adds or subtracts any separately governed schools to which an F student can attend in a bridge program.

A student may not attend any portion of a bridge program at a separately governed school unless the relationship has first been reported to and approved by SEVP.

5. Adjudicator Responsibilities.

5.1 Accurate Reporting. An adjudicator must use the standards provided in this guidance in all adjudications. However, the burden remains with and is on school officials to use the information provided to them to accurately report and comply with SEVP regulations and policies regarding conditional admission and bridge programs. An adjudicator is not responsible for school officials' failure to follow applicable statutes and regulations.

5.2 Effective Date. Notwithstanding section 5.3, an adjudicator must use this guidance immediately on [insert effective date] for all adjudications for SEVP certification.

5.3 Grace Periods for SEVP-Certified Schools. SEVP recognizes that many SEVP-certified schools are engaged in programs or processes affected by this guidance. As such, SEVP will grant grace periods for currently SEVP-certified schools engaged in a bridge program or programs utilizing conditional admission as described below.

5.3.1 Bridge Programs. Currently SEVP-certified schools participating in a bridge program must notify SEVP by updating their school's Form I-17 on or before one year after the effective date consistent with this guidance. SEVP-certified schools that notify SEVP in a timely manner may continue currently operating on their present model until SEVP reaches an adjudication decision on the school's update.

5.3.2 Conditional Admission. Currently SEVP-certified schools participating in a program involving conditional admission where the school's DSO issues the Form I-20 for students who do not meet all standards for admission may continue to do so until one year after the effective date of this guidance. At this time, school officials must appropriately update their school's Form I-17 or otherwise take action to ensure regulatory compliance.

5.3.3 Non SEVP-Certified Schools. These grace periods do not apply to any SEVP-certified school engaged in a concurrent enrollment relationship with a school that is not SEVP-certified.²³ Any SEVP-certified school involved in a concurrent enrollment relationship with a non SEVP-certified school must immediately stop such relationships and report it to SEVP. SEVP may deny or withdraw a school's SEVP certification for engaging in such relationships.

5.4 Out-of-Cycle Reviews. An adjudicator may conduct out-of-cycle reviews of an SEVP-certified school at any time to ensure compliance with all pertinent statutes, regulations and guidance documents.

6. Authorities/References.

6.1 *8 USC 1101(a)(15)(F) and (M).*

6.2 *8 CFR 214.2(f) and (m), 8 CFR 214.3, 8 CFR 214.4.*

7. Attachments. None.

8. Limits of Use – No Private Right of Action. This SEVP Draft Policy Guidance for Adjudicators applies to and is binding on all SEVP employees unless specifically exempt. Its intention is solely for the guidance of SEVP personnel in the performance of their official duties. It is not intended to, does not, and may not be relied upon to create or confer any right or benefit, substantive or procedural, enforceable at law or in equity by any person, individual or other party, public or private, in any administrative, civil or criminal matter. Until issued in final form, this SEVP Draft Policy Guidance for Adjudicators does not constitute SEVP policy in any way or for any purpose.

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²³ That is, school officials are sending F or M students to another school that is not SEVP-certified and such study counts towards the student's full course of study requirements.